

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONALD EUGENE JAMES,

Plaintiff,

v.

STATE OF CALIFORNIA, *et al.*,

Defendants.

Case No. 2:21-cv-00713-KJM-JDP (PC)

ORDER GRANTING PLAINTIFF'S MOTION
FILE AN AMENDED COMPLAINT AND
HOLDING THE FEBRUARY 27, 2023
FINDINGS AND RECOMMENDATIONS IN
ABEYANCE

ECF Nos. 30 & 31

On February 27, 2023, I recommended that this action be dismissed without leave to amend for failure to state a claim. ECF No. 30. I granted plaintiff fourteen days to file objections. *Id.* While plaintiff did not file objections, he did file a motion to amend his complaint. ECF No. 31. In the motion, he states that is having trouble receiving mail from this court. Considering plaintiff's filing and his status as a pro se party, I will grant him a final opportunity to file an amended complaint. Should he fail to file an amended complaint, the February 27, 2023 findings and recommendations will be submitted to the district judge for consideration.

Accordingly, it is hereby ORDERED that:

1. The February 27, 2023 findings and recommendations, ECF No. 30, are held in abeyance.


2. Plaintiff's motions to file an amended complaint, ECF No. 31, is granted.

3. Plaintiff shall file an amended complaint within thirty days of the date of this order.

4. Should plaintiff fail to file an amended complaint within thirty days, the February 27, 2023 findings and recommendations will be submitted to the district judge for consideration.

IT IS SO ORDERED.

Dated: April 3, 2023


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE